

2003 11:58

WELLS JOHN PS

383424

P.01

#261 Ref for
refund

Practitioner's Docket No. MI22-1299

PATENT 12-28-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Vishnu J. Agarwal et al.

Application No.: 09/428,125 Group No.: 2822
Filed: October 26, 1999 Examiner: K. Rose
For: "Capacitors and Methods of Forming Capacitors"

Commissioner for Patents and Trademarks
Washington, D.C. 20231

ATTENTION: Refund Section, Accounting Division, Office of Finance

REQUEST FOR REFUND
(IMPROPER CHARGE OF DEPOSIT ACCOUNT)

I. RETURN OF REFUND REQUEST

This is a request for a refund, with respect to the debit to Deposit Account 23-0925, shown on the statement dated October 24, 2003 for the above-identified application.

A copy of the monthly statement, in which the error referred to occurs, accompanies this request. A copy of the Ex Post Declaration of Express Mailing, dated October 20, 2003, accompanies this request. A copy of the postcard, copy of Supplemental IDS, Form PTO-1449, accompanies this request. A copy of the Ex Post Declaration, dated September 16, 2003, copy of first page of the Response to June 16, 2003 Final Office Action to Accompany RCE Filing, accompanies this request.

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8(a))

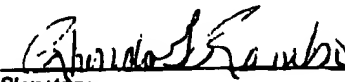
I hereby certify that, on the date shown below, this correspondence is being:

MAILING

- ☐ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents and Trademarks, Washington, D.C. 20231.

FACSIMILE

- XX transmitted by facsimile to the Patent and Trademark Office. 703-308-6778


Signature

Rhonda G. Rambo

(type or print name of person certifying)

Date: 14 Nov 2003

(Request for Debit (Improper Credit of Deposit Account)—page 1 of 2)

Adjustment date: 12/08/2003 EEKUBAY1
10/24/2003 JBALINAN 00000147 230925 09428125
01 FC:1806 180.00 CR

10 pages total

11/14/03 FRI 14:41 [TX/RX NO 8558] @001

II. FEES CHARGED FOR WHICH REFUND IS REQUESTED**AMOUNT OF
REFUND
REQUESTED**

Improper charge for Supplemental Information Disclosure Statement \$180.00

TOTAL REFUND REQUESTED

\$180.00

III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

On October 20, 2003 we filed a Supplemental Information Disclosure Statement. The Supplemental Information Disclosure Statement was filed after the filing of the Request for Continued Examination (RCE) Application and before receipt of the first office action. We filed a Response to the June 16, 2003 Final Office Action to accompany an RCE filing on September 16, 2003. Therefore, no fee is believed to be required.

Please credit Deposit Account No. 23-0925 with the above fee amount.

IV. MANNER OF REFUND

Please Credit Account No. 23-0925.

Date:

November 13, 2003


Jennifer A. Taylor, Ph.D.

Reg. No. 48,711

Wells/St. John P.S.

601 West First Ave., Suite 1300

Spokane, WA 99201-3828

Tel. No.: (509) 624-4276

Customer No.: 021567

(Request for Debit (Improper Credit of Deposit Account)—page 2 of 2)

**United States
Patent and
Trad mark Office****Deposit Account Statement****Requested Statement Month:**

October 2003

Deposit Account Number:

230925

Name:

WELLS ST JOHN PS

Attention:

RHONDA RAMBO

Address:

601 WEST FIRST AVENUE SUITE 1300

City:

SPOKANE

State:

WA

Zip:

99201-3817

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
10/02	25	09888214	LO25-003	1202	-\$72.00	\$12,610.00
10/02	96	10672816	MI22-2398	1202	\$180.00	\$12,430.00
10/03	15	6500744	MI22-1197	1811	-\$100.00	\$12,530.00
10/03	23	10340128		9204	-\$180.00	\$12,710.00
10/03	41	09895814	H0001468	1201	\$336.00	\$12,374.00
10/03	42	09172096		9204	-\$20.00	\$12,394.00
10/03	952	2135589	TW3-106	7205	\$100.00	\$12,294.00
10/03	953	2135589	TW3-106	7208	\$200.00	\$12,094.00
10/06	282	2121120	CU15-101	7205	\$100.00	\$11,994.00
10/06	283	2121120	CU15-101	7208	\$200.00	\$11,794.00
10/06	336	09880580		9204	-\$30.00	\$11,824.00
10/07	19	09148723	MI22-981	1806	-\$180.00	\$12,004.00
10/08	4	6500709	MI22-1584	1811	-\$100.00	\$12,104.00
10/08	5	09967754	ZA1-007	2801	\$385.00	\$11,719.00
10/08	551	78310625	WO28-110	7001	\$335.00	\$11,384.00
10/09	2	09881299	MI22-1747	1801	\$750.00	\$10,634.00
10/09	38	SUBSCRIPTION		8001	\$3.00	\$10,631.00
10/09	43	PCT/US03/30731	H0003933-PCT	1602	\$250.00	\$10,381.00
10/09	428	76095115	CO75-102	7004	\$150.00	\$10,231.00
10/09	433	76095113	CO75-101	7004	\$150.00	\$10,081.00
10/10	92	10102199	NO35-001	8001	\$15.00	\$10,066.00
10/14	1886	78313283	BE58-102	7001	\$335.00	\$9,731.00
10/15	1	09653156	MI22-1518	1801	\$770.00	\$8,961.00
10/15	2	09686714	IR3-012	2201	\$42.00	\$8,919.00
10/15	36	SUBSCRIPTION		8001	\$3.00	\$8,916.00
10/15	599	78313654	MA81-101	7001	\$335.00	\$8,581.00
10/15	603	78313657	MA81-102	7001	\$335.00	\$8,246.00
10/16	27	PAYMENT		9203	-\$6,000.00	\$14,246.00
10/16	384	10071843		8021	\$40.00	\$14,206.00
10/17	23	6383848		1811	-\$100.00	\$14,306.00
10/17	26	6482691	MI22-1345	1811	-\$100.00	\$14,406.00

NOV-14-2003 11:59
DEPOSIT ACCOUNT STATEMENT

10/17 150	10683207	M122-2234	1202	\$10.00	\$14,398.00
10/17 490	10416824	H0001882 (H057-399)	1813	\$800.00	\$13,596.00
10/20 1	09866088	IR3-023	2252	\$210.00	\$13,386.00
10/20 335	78315341	MA95-102	7001	\$870.00	\$12,716.00
10/20 357	78315364	MA95-101	7001	\$335.00	\$12,381.00
10/21 388	09990707	EC2-015	8001	\$15.00	\$12,366.00
10/21 416	76370809	GO37-101	7004	\$150.00	\$12,218.00
10/22 32	6498378	M122-1556	1811	-\$100.00	\$12,318.00
10/23 23	10688828		9204	-\$22.00	\$12,338.00
10/23 122	10888230	PC3-056	1201	\$2.00	\$12,336.00
10/23 246		VA16007	8014	\$25.00	\$12,311.00
10/23 929	2195845	PO4-199	7205	\$100.00	\$12,211.00
10/23 930	2195845	PO4-199	7208	\$200.00	\$12,011.00
10/24 33	09570365	MI40-293	1202	\$9.00	\$12,002.00
10/24 49	10689958	MI22-2417	1202	\$612.00	\$11,390.00
10/24 179	09428125	MI22-1299	1806	\$180.00	\$11,210.00
10/24 318	78317869	PO4-1224	7001	\$335.00	\$10,875.00
10/24 370	78317912	PO4-1225	7001	\$335.00	\$10,540.00
10/24 389	76106529	PO4-1139	7004	\$150.00	\$10,390.00
10/24 444	76108530	PO4-1140	7004	\$150.00	\$10,240.00
10/24 741	76174600	PO4-1146	7004	\$150.00	\$10,090.00
10/24 811	76229939	PO4-1150	7004	\$150.00	\$9,940.00
10/27 5	10033599	AV1-062	1201	\$420.00	\$9,520.00
10/27 9	10346869	MI122-2225	1814	\$110.00	\$9,410.00
10/27 175	76268996	PO4-1153	7004	\$150.00	\$9,260.00
10/27 212	76423513	PO4-1183	7004	\$150.00	\$9,110.00
10/27 874	1802621	IT2-104	7205	\$100.00	\$9,010.00
10/27 875	1802621	IT2-104	7201	\$400.00	\$8,610.00
10/28 1	PCT/US03/30783	H0004362-PCT	8007	\$20.00	\$8,590.00
10/28 8	PAYMENT		9203	-\$6,000.00	\$14,590.00
10/28 58	10691758		9204	-\$180.00	\$14,770.00
10/28 286	6603391	M140-177	1811	\$100.00	\$14,870.00
10/28 295	10475251	H0002507 (4015)	1814	\$100.00	\$14,570.00
10/29 1	09172096		1202	\$216.00	\$14,354.00
10/29 14	10300175	MI22-2186	1202	\$36.00	\$14,318.00
10/29 15	10300175	MI22-2186	1201	\$84.00	\$14,234.00
10/29 41	09695814	H0001468	1201	-\$336.00	\$14,570.00
10/29 42	08846671	11675.114	1251	-\$110.00	\$14,680.00
10/30 1	10165569	H0001173-CON	1814	\$110.00	\$14,570.00
10/30 1	09866088	IR3-023	2201	\$43.00	\$14,527.00
10/30 2	09866088	IR3-023	2202	\$27.00	\$14,500.00
10/30 3	09866088	IR3-023	2202	\$54.00	\$14,448.00
10/30 4	09866088	IR3-023	2201	\$86.00	\$14,360.00
10/31 10	09866088	IR3-023	2252	-\$210.00	\$14,570.00
10/31 117	10695959	MI22-2400	1201	\$2.00	\$14,568.00

**START
BALANCE
\$12,538.00**

SUM OF CHARGES
\$11,810.00

SUM OF	END
REPLENISH	BALANCE
\$13,840.00	\$14,568.00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION SERIAL NO 09/428,125
 FILING DATE October 26, 1999
 INVENTORSHIP Vishnu J. Agarwal et al.
 ASSIGNEE Micron Technology, Inc.
 GROUP ART UNIT 2822
 EXAMINER K. Rose
 ATTORNEY'S DOCKET NO MI22-1299
 TITLE: Capacitors and Methods of Forming Capacitors

EX POST DECLARATION OF EXPRESS MAILING

I hereby declare that I have deposited the below-listed papers with the United States Postal Service "Express Mail Post Office to Addressee" service, addressed and posted as indicated below, in compliance with 37 CFR 1.10. The Express Mail label No. has been placed on one or more of the papers listed.

Express Mail Number: EV318285774US
 Date of Deposit: 11/20/03
 Time of Deposit: 4:52 p.m.
 Deposited By: ☒ Delivery to Postal Employee
☐ Place in Drop Box

Addressee: Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

COPYPlace of Deposit:

☐ U.S. Post Office (Paulsen Bldg. Br.)
 421 West Riverside, Room 201
 Spokane, Washington 99201
 Last Scheduled Drop Box Pickup: 4:40 p.m.

☒ U.S. Post Office (Riverside Station)
 904 West Riverside
 Spokane, Washington 99201
 Last Scheduled Drop Box Pickup: 5:00 p.m.

☐ U.S. Post Office (DIST. CTR.)
 2928 S. Spotted Road
 Spokane, Washington 99202
 Last Scheduled Drop Box Pickup: 9:00 p.m.

☐ U.S. Post Office _____ Branch

 Last Scheduled Drop Box Pickup: ____ a.m./p.m.

Listing Of Items Enclosed in Mailing:

1. PTO Return Receipt Postcard
2. Transmittal Form (PTO/SB/21)
3. Supplemental Information Disclosure Statement w/PTO-1449 and copy of cited references

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statement may jeopardize the validity of the application or any patent issued therefrom.

Dated at Spokane, Washington this 20 day of October, 2003.

Trinity Coxon
 Trinity Coxon

Date: 10-20-03M22-1299 (JT)
Micron Technology, Inc.

The stamp of the U.S. Patent and Trademark Office acknowledges receipt of the following papers relating to the Patent application of Vishnu K. Agarwal et al., Serial No. 08428,125, filed October 28, 1999, entitled "Capacitors and Methods of Forming Capacitors".

1. PTO Return Postcard Receipt
2. Transmittal Form (PTO/SB/21)
3. Supplemental Information Disclosure Statement w/PTO-1449 and copy of cited references

COPY

EV318285774US

M22-1299 (JT)
Micron Technology, Inc.Date: 10-20-03

The stamp of the U.S. Patent and Trademark Office acknowledges receipt of the following papers relating to the Patent application of Vishnu K. Agarwal et al., Serial No. 08428,125, filed October 28, 1999, entitled "Capacitors and Methods of Forming Capacitors".

1. PTO Return Postcard Receipt
2. Transmittal Form (PTO/SB/21)
3. Supplemental Information Disclosure Statement w/PTO-1449 and copy of cited references



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No. 09/428,125
Filing Date October 28, 1999
Inventor Vishnu K. Agarwal et al.
Assignee Micron Technology, Inc.
Group Art Unit 2822
Examiner Rose, Kiesha L.
Attorney's Docket No. MI22-1299
Title: Capacitors and Methods of Forming Capacitors

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

References - - See attached Form PTO-1449

In compliance with 37 C.F.R. §§ 1.56, 1.97 and 1.98, your attention is directed to the United States patents and other references listed on the attached Form PTO-1449. No admission is made regarding whether all the submitted references are prior art.

This Supplemental Information Disclosure Statement is being filed after the filing of the Request for Continued Examination (RCE) Application and before receipt of the first Office Action. Therefore, no fee is believed to be required. However, in the event that a fee is required for filing this Supplemental Information Disclosure Statement, please charge the fee specified under 37 C.F.R. §1.17(p) to Deposit Account No. 23-0925. Please credit Deposit Account No. 23-0925 with any overpayment of the above fee.

Respectfully submitted,

COPY

Dated: Oct. 20, 2003

By: Jennifer J. Taylor
Jennifer J. Taylor, Ph.D.
Reg. No. 48,711

EV318285774

Form PTO-1449

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.
M122-1299SERIAL N
09/438,123LIST OF ART CITED BY APPLICANT
(Use several sheets if necessary)APPLICANT
Vineau K. Agarwal et al.FILING DATE
October 26, 1998GROUP
2822

U.S. PATENT DOCUMENTS

*Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
AA	5,920,775	01-1998	Koh			
AB	6,376,332 B1	04-2002	Yanagita et al.			
AC						
AD						
AE						
AF						
AG						
AH						
AI						
AJ						
AK						
AL						

COPY

FOREIGN PATENT DOCUMENTS

Document Number	Date	Country	Class	Subclass	Translation	
					Yes	No
AM						
AN						
AQ						
AP						
AO						

OTHER REFERENCES (including Author, Title, Date, Pertinent Pages, Etc.)

AR		
AS		
AT		

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

EV318285774

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION SERIAL NO 09/428,125
 FILING DATE October 26, 1999
 INVENTORSHIP Vishnu J. Agarwal et al.
 ASSIGNEE Micron Technology, Inc.
 GROUP ART UNIT 2822
 EXAMINER K. Rose
 ATTORNEY'S DOCKET NO MI22-1299
 TITLE: Capacitors and Methods of Forming Capacitors

EX POST DECLARATION OF EXPRESS MAILING

I hereby declare that I have deposited the below-listed papers with the United States Postal Service "Express Mail Post Office to Addressee" service, addressed and posted as indicated below, in compliance with 37 CFR 1.10. The Express Mail label No. has been placed on one or more of the papers listed.

Express Mail Number: EV318284368US
 Date of Deposit: 4.15
 Time of Deposit: 9:10 a.m.
 Deposited By: ☒ Delivery to Postal Employee
☐ Place in Drop Box

Addressee: MS RCE
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

COPYPlace of Deposit:

☐ U.S. Post Office (Paulsen Bldg. Br.)
 421 West Riverside, Room 201
 Spokane, Washington 99201
 Last Scheduled Drop Box Pickup: 4:40 p.m.

☒ U.S. Post Office (Riverside Station)
 904 West Riverside
 Spokane, Washington 99201
 Last Scheduled Drop Box Pickup: 5:00 p.m.

☐ U.S. Post Office (DIST. CTR.)
 2928 S. Spotted Road
 Spokane, Washington 99202
 Last Scheduled Drop Box Pickup: 9:00 p.m.

☐ U.S. Post Office _____ Branch

 Last Scheduled Drop Box Pickup: _____ a.m./p.m.

Listing Of Items Enclosed In Mailing:

1. PTO Return Receipt Postcard
2. \$750.00 Check
3. RCE Transmittal Form (PTO/SB/30)
4. Response to June 16, 2003 Final Office Action

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statement may jeopardize the validity of the application or any patent issued therefrom.

Dated at Spokane, Washington this 16th day of September, 2003.

Trinity Coxon
 Trinity Coxon

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No. 09/428,125
Filing Date October 26, 1999
Inventor Vishnu K. Agarwal
Assignee Micron Technology, Inc.
Group Art Unit 2822
Examiner Rose, Kiesha L.
Attorney's Docket No. MI22-1299
Title: Capacitors and Methods of Forming Capacitors

**RESPONSE TO JUNE 16, 2003 FINAL OFFICE ACTION
TO ACCOMPANY RCE FILING**

To: Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COPY

From: Jennifer J. Taylor, Ph.D. (Tel. 509-624-4276; Fax 509-838-3424)
Wells St. John P.S.
601 W. First Avenue, Suite 1300
Spokane, WA 99201-3828

AMENDMENTS

Introductory Comments

In response to the Office Action dated June 16, 2003, applicant remarks as follows.

S:\MIZ2\1299\M07.DOC

1

EV318284368

TOTAL P.10

11/14/03 FRI 14:41 [TX/RX NO 8558] 010